



PAUL D. HEYDON • PATENT ATTORNEY

909 N.E. LOOP 410, SUITE 300
SAN ANTONIO, TEXAS 78209
210 • 930 • 4300
210 • 804 • 1298 FAX

2177

AF
12700

DATE: January 29, 2003
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on JAN. 29, 2003.

(Date)

Signature: Paul D. Heydon
Paul D. Heydon

RE: Docket No. AT9-98-146. Application No. 09/439,052. Art Unit 2177.
Filing Date 11/12/1999. Examiner: Wong, Leslie.

Sir:

Transmitted herewith for filing is correspondence regarding the application of:
Inventors: Kelvin Roderick Lawrence, et al.
For: A System and Method for Bookmark Set Search and Execution Refinement

Enclosed is:

 X Reply Brief (3 copies).

Kindly acknowledge receipt of this correspondence by returning the enclosed postcard.

Respectfully submitted,

Paul D. Heydon

Paul D. Heydon
Reg. No. 46,769



#14
2/6/03
A.W.

Applicant : Lawrence et al.
Appl. No. : 09/439,052
Filed : 11/12/ 1999
Title : A System and Method for Bookmark Set Search
And Execution Refinement
Grp./A.U. : 2177
Examiner : Wong, Leslie
Docket No. : AT9-98-146

Honorable Commissioner for Patents

Washington DC 20231

REPLY BRIEF

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Sir:

A requirement for establishing a prima facie case of obviousness is that the reference or references must teach or suggest all the claim limitations. MPEP 2143 and 2143.03; *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

The assignee respectfully points out that a portion of the specification is inaccurately quoted in the Examiner's Answer, page 5. The following accurate quotation explains one of the claim limitations that the references do not teach or suggest: "Subsequently, the bookmark set with ratings is resubmitted to the search engine and is used to 'Weight and Rank' the next search at 306." Specification, page 8, lines 26 - 29. A limitation in the rejected claims, not described by any of the references, is submitting a

"bookmark set" (which includes marked Uniform Resource Locators (URL's) and positive or negative markings) to a search engine.

A user may submit a "bookmark set" rather than submitting a refined query phrase to a search engine, for example. Thus the user is sheltered from details of query words and phrases. The specification points out a problem ("the formation of a search argument is a difficult task for many users," page 3, lines 26 - 27) and a solution (provide the user with more documents like the useful document, by quickly refining a search "with a minimum of manual search formulation," at page 4, lines 12 - 14). The cited references do not identify the problem. This should be considered as evidence of non-obviousness.

A "bookmark set" is not the same as a query phrase. The Ballard '457 patent involves a refined query phrase that is displayed to the user for editing, then submitted to a search engine (Column 6, Lines 50 -56). The Sciammarella '698 patent requires the user to enter one or more key words (Column 6, Line 28). These references, with their teachings regarding use of query phrases or key words, actually would lead away from the claimed invention.

The references do not teach or suggest all the claim limitations. Thus a prima facie case of obviousness has not been established.

Conclusion

For the reasons advanced above, Assignee respectfully contends that each claim is patentable, and requests the reversal of all rejections.

Respectfully submitted,

A handwritten signature in black ink, reading "Paul D. Heydon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul D. Heydon
Attorney for Assignee
Reg. No. 46,769
909 NE Loop 410, Suite 300
San Antonio, TX 78209
(210) 930-4300